

OCT 30 2006

U.S. Patent Application No. 10/050,133
Reply to Office Action of July 28, 2006

Docket No.: G0126.0001

REMARKS

Claims 1 to 13 are pending in this case. Claims 2, 5, 9, and 12 have been indicated as allowable. Claims 1, 3, 4, 6-8, 10, 11, and 13 have been rejected under 35 U.S.C. § 103(a) over Yoneyama et al. (US 6,771,954 B1) in view of Murai (US 5,239,679). By this Amendment, applicant amended claim 1 for the clarification of claim elements without narrowing the scope of the claim or any claim element contained therein. Applicant respectfully traverses the above rejection and requests reconsideration of the subject patent application in view of the following remarks.

In paragraph 4 of the Office Action, claims 2, 5, 9, and 12 have been objected to, but are indicated as allowable if rewritten in independent form including all limitations of the base and any intervening claims. Applicant thanks the Examiner for kindly indicating the allowability of claims 2, 5, 9, and 12, but defers rewriting these claims until final resolution of the remaining claims.

In paragraph 3 of the Office Action, claims 1, 3, 4, 6-8, 10, 11, and 13 have been rejected under § 103(a) over Yoneyama in view of Murai. This rejection is respectfully traversed.

Independent claim 1 requires that "the wireless telephone device displays the predetermined message on the display device when the wireless telephone device receives a call from the predetermined telephone number." Independent claim 8 requires "displaying the predetermined message on a display device of the wireless telephone device when the measured time period agrees with the predetermined time period." Neither Yoneyama nor Murai teach these features required in independent claim 1 or 8.

As applicant submitted in the previous Response, the cited portions of Yoneyama do not teach the above claim features in independent claim 1 or 8. In the present Office Action, there is no indication where in Yoneyama the above claim features are shown (which applicant takes as a concession by the Office Action that Yoneyama in fact does not so teach). The Office Action then cites Murai to remedy the deficiencies of Yoneyama. Applicant disagrees that Murai cures the deficiencies of Yoneyama.

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The cited portions of Murai teach displaying an incoming message of a pager (see, e.g., col. 6, ll. 21-22). The CPU 41 in Murai operates the speaker 7 and the LCD 9 to stop generating the ring tone and displaying the latest message received, i.e., the incoming message received by the pager. Although Murai teaches a message memory 45 for storing messages received from a base station, such stored messages are neither predetermined nor displayed when an incoming message arrives at the pager. Rather, the pager in Murai displays the incoming message itself when it is received by the pager.

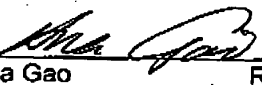
Accordingly, even if Muria can be combined with Yoneyama as suggested in the Office Action, the combination of Yoneyama and Muria does not teach displaying a **predetermined message** when the telephone receives an incoming call, as required in independent claims 1 and 8. Therefore, independent claims 1 and 8 each patentably distinguish over Yoneyama and Muria.

In view of the forgoing, independent claims 1 and 8 are believed to be allowable. Claims 3-4, 6-7, 10-11, and 13 depend from independent claim 1 or 8 and are thus allowable for at least the same reasons claims 1 and 8 are allowable. Accordingly, the subject rejection has been overcome.

Applicant has shown that, in addition to the allowable claims 2, 5, 9, and 12, claims 1, 3, 4, 6-8, 10, 11 and 13 are also allowable over the cited references and hereby respectfully requests that the rejection of claims 1, 3, 4, 6-8, 10, 11 and 13 be withdrawn. Each of the presently pending claims in this application is believed to be in immediate condition for allowance and such action is earnestly solicited.

Respectfully submitted,

Dated: October 30, 2006

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